

**WEDNESDAY, MARCH 24, 1999**

**TWENTIETH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Larry Burke, First Methodist Church, New Johnsonville, Tennessee.

Representative Tidwell led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McAfee; illness.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 59:** Rep(s). Fowlkes, Williams and Caldwell as prime sponsor(s).

**House Bill No. 26:** Rep(s). Kent and Cole (Carter) as prime sponsor(s).

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**House Bill No. 197:** Rep(s). Boyer, Patton, Ford, Fitzhugh, Maddox, Hagood, White, Fraley, Cooper, Bittle, Buttry, Pleasant, Langster, Sargent, Briley, Miller, Godsey, Dunn, McDaniel, Ridgeway, Sands, Winningham, Walker, Turner (Hamilton), Montgomery, L. DeBerry, McMillan, Towns and S. Jones as prime sponsor(s).

**House Bill No. 239:** Rep(s). Naifeh, Goins, Baird, Todd, Bunch, Beavers, Ford, Patton, Turner (Hamilton), Kent, Stulce, Roach, Davis (Washington), Davis (Cocke), Whitson, McDaniel, Cole (Carter), Wood, Cooper, Sharp, Bittle, Boyer, Montgomery and Walker as prime sponsor(s).

**House Bill No. 316:** Rep(s). Fitzhugh, Hood, Sharp, Bone, Windle, Dunn, Turner (Hamilton), Brown, McDonald, Maddox, Langster, Eckles, Miller, Wood, Walker, Ridgeway, Fraley and Williams as prime sponsor(s).

**House Bill No. 442:** Rep(s). Kent, Cole (Carter), Caldwell and Ferguson as prime sponsor(s).

**House Bill No. 530:** Rep(s). Kisber, Hagood, Todd and Boyer as prime sponsor(s).

**House Bill No. 580:** Rep(s). Hargett as prime sponsor(s).

**House Bill No. 673:** Rep(s). Ford, Brown, Langster, Dunn, Sargent, Givens, Patton, White and Fitzhugh as prime sponsor(s).

**House Bill No. 1310:** Rep(s). Walker and Roach as prime sponsor(s).

**House Bill No. 1311:** Rep(s). Walker and Roach as prime sponsor(s).

**House Bill No. 1312:** Rep(s). Walker and Roach as prime sponsor(s).

**House Bill No. 1384:** Rep(s). Langster, Pruitt, S. Jones, Briley, Arriola, Harwell and Garrett as prime sponsor(s).

**House Bill No. 1405:** Rep(s). White as prime sponsor(s).

**House Bill No. 1879:** Rep(s). Wood, Eckles, Hood, Ford, Turner (Hamilton), Fraley, Sharp and Stulce as prime sponsor(s).

**MESSAGE FROM THE SENATE  
March 23, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 13, 21, 22, 73, 201, 311, 459 and 1379; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 23, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 20, 21, 270, 329 and 1273; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 22, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 168, 1167, 1572, 1590, 1620, 1628, 1736 and 1855; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 168** -- Children - Requires juvenile court clerks to forward information concerning sexual offenses to TBI for verification of employment applications of persons applying to work with children; requires TBI to grant access to its sexual offender computer files created and maintained by TBI for employment verification purposes. Amends TCA Title 37, Chapter 1, Part 1; Title 38, Chapter 6 and Section 71-3-529. by \*Clabough. (HB651 by \*Harwell, \*Bunch, \*Hagood)

**\*Senate Bill No. 1167** -- Motor Vehicles, Titling and Registration - Corrects internal TCA reference to clarify that revenues from personalization of collegiate plates are allocated to arts commission Amends TCA Title 55, Chapter 4. by \*Ford J, \*Dixon. (HB1801 by \*DeBerry L)

**\*Senate Bill No. 1572** -- Firearms and Ammunition - Makes files in possession of department of safety relating to handgun carry permits and bogus handgun carry permits confidential records. - Amends TCA Section 10-7-504. by \*Cooper. (HB1531 by \*Kisber)

**\*Senate Bill No. 1590** -- Securities - Exempts certain security issuers from notice filing and fee requirements before sale of such security; requires issuers of certain covered securities to file report with securities and exchange commission. Amends TCA Title 48, Chapter 2, Part 1. by \*McNally. (HB1106 by \*Gunnels, \*Boyer)

**Senate Bill No. 1620** -- Housing - Redefines "housing facility" for special purpose corporations and associations to add single-family residential units located in Shelby County financed by for-profit, not-for-profit or governmental entity and bonds are not exempt under IRC. Amends TCA Section 48-101-301. by \*Dixon, \*Cohen, \*Person, \*Ford J. (\*HB1188 by \*Bowers)

**Senate Bill No. 1628** -- Uniform Commercial Code - Removes requirement that warehouse receipt must be issued to create warehouseman's lien thereby recognizing lien whether transactions are conducted electronically or when paper receipt is issued. Amends TCA Section 47-7-209. by \*Miller J. (\*HB288 by \*Newton)

**Senate Bill No. 1736** -- Sunset Laws - Commission on children and youth, June 30, 2006; abolishes interagency coordination council. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 3. by \*Springer, \*Crowe. (\*HB1680 by \*Kernell)

**Senate Bill No. 1855** -- Highway Signs - "Patrick H. McCutchen Memorial Bridge," spanning U.S. 79 on new segment of S.R. 374, Montgomery County. by \*Kurita, \*Womack, \*Henry, \*Kyle, \*Springer, \*Haynes, \*Graves, \*Harper, \*Rochelle, \*Dixon, \*Cohen. (\*HB1924 by \*Head, \*McMillan)

**MESSAGE FROM THE SENATE**

**March 23, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 53, 97, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 194 and 195; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 53** -- Memorials, Government Officials - Urges president to take all necessary measures to respond to surge of steel imports resulting from international financial crises and to enforce all applicable trade agreements and laws of United States pertaining to steel imports. by \*Burchett, \*Crowe.

**\*Senate Joint Resolution No. 97** -- Highway Signs - "Edward Burnett Bridge Memorial Bridge," S.R. 48, Dickson County. by \*Springer.

**Senate Joint Resolution No. 167** -- Memorials, Sports - 1998-1999 Mary Blount Middle school boys' basketball team, TSSAA East Tennessee Sectional Tournament champions. by \*Clabough.

**Senate Joint Resolution No. 168** -- Memorials, Public Service - Marlon Hawks. by \*Kyle, \*Carter, \*Cohen, \*Herron.

**Senate Joint Resolution No. 169** -- Memorials, Academic Achievement - Elisabeth Kidd, Valedictorian, Westmoreland High School. by \*Graves.

**Senate Joint Resolution No. 170** -- Memorials, Death - Dr. Edward Atkinson. by \*Kurita.

**Senate Joint Resolution No. 171** -- Memorials, Recognition and Thanks - Medical Auxiliary of Washington-Unicoi-Johnson County Medical Association, 50th Anniversary. by \*Crowe, \*Haun.

**Senate Joint Resolution No. 172** -- Memorials, Recognition and Thanks - University School, Johnson City - "Good Sports Always Recycle" Environmental Award. by \*Crowe.

**Senate Joint Resolution No. 173** -- Memorials, Retirement - Dr. Albert Mitchum. by \*Kurita.

**Senate Joint Resolution No. 174** -- Memorials, Death - Eloise Broemel. by \*Womack, \*Burks, \*Henry, \*Kyle, \*Cooper, \*Herron.

**Senate Joint Resolution No. 175** -- Memorials, Recognition and Thanks - Dr. Thurman L. Pedigo. by \*Cooper, \*Kurita.



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**Senate Joint Resolution No. 176** -- Memorials, Recognition and Thanks - Sanja Simic from Bosnia, Honorary citizen. by \*Ramsey.

**Senate Joint Resolution No. 194** -- Memorials, Sports - Trousdale County High School football team, TSSAA 1998 Class A state champions. by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 195** -- Memorials, Sports - Ezell-Harding Christian School "Lady Eagles" girls' fast pitch softball team, TSSAA Class A state champions. by \*Rochelle, \*Henry.

**ENROLLED BILLS**

**March 23, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 141, 142 and 143; also, House Resolution(s) No(s). 2, 3, 4, 19 and 32.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 23, 1999**

The Speaker signed the following: House Joint Resolution(s) No(s). 141, 142 and 143; also, House Resolution(s) No(s). 2, 3, 4, 19 and 32.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 23, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 66; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 23, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 141, 142 and 143; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY**

**REPORT OF CHIEF ENGROSSING CLERK  
March 23, 1999**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 20, 21, 270, 329 and 1273; also, House Joint Resolution(s) No(s). 66, 141, 142 and 143.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
March 23, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166 and 185; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED  
March 23, 1999**

The Speaker signed the following: Senate Joint Resolution(s) No(s). 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166 and 185.

**ENROLLED BILLS  
March 23, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 690.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
March 24, 1999**

The Speaker signed the following: House Bill(s) No(s). 690.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**March 24, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 90, 91, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208 and 209; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 90** -- General Assembly, Confirmation of Appointment - Tom Hensley, wildlife resources commission. by \*Carter, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crutchfield, \*Davis L, \*Dixon, \*Ford J, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**\*Senate Joint Resolution No. 91** -- Highway Signs - "Sam Grissom Memorial Bridge," bridge spanning Caney Fork River on S.R. 136 between Warren and White counties. by \*Cooper.

**Senate Joint Resolution No. 196** -- Memorials, Personal Achievement - Judd Parker, National Turkey Calling Champion of the World. by \*Kurita, \*Herron.

**Senate Joint Resolution No. 197** -- Memorials, Academic Achievement - Jamie Worcester, Salutatorian, Montgomery Central High School. by \*Kurita.

**Senate Joint Resolution No. 198** -- Memorials, Academic Achievement - Leslie Ann Thompson, 1999 Salutatorian, Clarksville High School. by \*Kurita.

**Senate Joint Resolution No. 199** -- Memorials, Academic Achievement - Lindsey Marie Vaughan, 1999 Valedictorian, Clarksville High School. by \*Kurita.

**Senate Joint Resolution No. 200** -- Memorials, Academic Achievement - Richard Hayes, II, 1999 Valedictorian, Montgomery Central High School. by \*Kurita.

**Senate Joint Resolution No. 201** -- Memorials, Academic Achievement - Benjamin Stinnett, Salutatorian, Kenwood High School. by \*Kurita.

**Senate Joint Resolution No. 202** -- Memorials, Personal Occasion - Walter Keith, 100th Birthday. by \*Graves, \*Henry.

**Senate Joint Resolution No. 203** -- Memorials, Academic Achievement - Devon Gundry, Valedictorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 204** -- Memorials, Recognition and Thanks - Sumner County 4H team. by \*Graves.

**Senate Joint Resolution No. 205** -- Memorials, Academic Achievement - Shannon Scott, Valedictorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 206** -- Memorials, Academic Achievement - Ashley Colvin, Valedictorian, Springfield High School. by \*Graves.

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**Senate Joint Resolution No. 207** -- Memorials, Academic Achievement - Rita Porter, Valedictorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 208** -- Memorials, Academic Achievement - Fay Allen Dicens, Valedictorian, Portland High School. by \*Graves.

**Senate Joint Resolution No. 209** -- Memorials, Academic Achievement - Sara Elizabeth Plott, Co-Salutatorian, White House High School. by \*Graves.

## RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 25, 1999:

**House Resolution No. 33** -- Memorials, Personal Achievement - Allan Kerley, Rotary Club Perfect Attendance Award. by \*Sands.

**House Resolution No. 34** -- Memorials, Public Service - Columbia Rotary Club, 75th anniversary. by \*Sands.

**House Resolution No. 35** -- Memorials, Recognition and Thanks - Murrell School parent involvement program, "exemplary" rating. by \*Pruitt, \*Garrett, \*Jones, S., \*Arriola, \*Robinson, \*Harwell, \*Briley, \*West, \*Langster.

**House Resolution No. 36** -- Memorials, Recognition and Thanks - Zeta Chapter of Pi Kappa Fraternity, 125th anniversary. by \*Buttry.

**House Resolution No. 37** -- Memorials, Congratulations - Eagleville, fiftieth anniversary of incorporation. by \*Beavers, \*Hood, \*Eckles.

**House Joint Resolution No. 150** -- Memorials, Heroism - Blount County Sheriff's Detective Jim Long. by \*McCord, \*Kerr.

**House Joint Resolution No. 159** -- Memorials, Public Service - Edward Fitzpatrick. by \*DeBerry J.

**House Joint Resolution No. 160** -- Memorials, Recognition and Thanks - Reverend David E. Williams, Sr. by \*Sands.

**House Joint Resolution No. 161** -- Memorials, Sports - 1998 Battle Ground Academy football team, TSSAA Division 2 Class A state champions. by \*Sargent, \*Williams (Williamson).

**House Joint Resolution No. 162** -- Memorials, Personal Achievement - Christopher L. Carlton, Eagle Scout. by \*Todd.

**House Joint Resolution No. 165** -- Memorials, Public Service - Mary Kate Ridgeway, Paris-Henry County Chamber of Commerce Person of the Year. by \*Naifeh, \*Ridgeway, \*Kent, \*Tidwell, \*White, \*Fitzhugh, \*Pinion, \*Odum, \*Walley, \*Cole (Dyer), \*Cole (Carter), \*Phelan, \*Maddox, \*Hargrove, \*Kisber, \*Brown, \*Garrett.

**House Joint Resolution No. 167** -- Memorials, Retirement - Walter J. Winfrey. by \*Todd, \*Kent, \*DeBerry L, \*Bowers, \*Turner (Shelby), \*Towns, \*Chumney, \*DeBerry J, \*Jones U (Shelby), \*Miller L, \*Pleasant, \*Cooper B, \*Hassell, \*Hargett, \*Brooks, \*Kernell.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 25, 1999:

**Senate Joint Resolution No. 196** -- Memorials, Personal Achievement - Judd Parker, National Turkey Calling Champion of the World. by \*Kurita, \*Herron.

**Senate Joint Resolution No. 197** -- Memorials, Academic Achievement - Jamie Worcester, Salutatorian, Montgomery Central High School. by \*Kurita.

**Senate Joint Resolution No. 198** -- Memorials, Academic Achievement - Leslie Ann Thompson, 1999 Salutatorian, Clarksville High School. by \*Kurita.

**Senate Joint Resolution No. 199** -- Memorials, Academic Achievement - Lindsey Marie Vaughan, 1999 Valedictorian, Clarksville High School. by \*Kurita.

**Senate Joint Resolution No. 200** -- Memorials, Academic Achievement - Richard Hayes, II, 1999 Valedictorian, Montgomery Central High School. by \*Kurita.

**Senate Joint Resolution No. 201** -- Memorials, Academic Achievement - Benjamin Stinnett, Salutatorian, Kenwood High School. by \*Kurita.

**Senate Joint Resolution No. 202** -- Memorials, Personal Occasion - Walter Keith, 100th Birthday. by \*Graves, \*Henry.

**Senate Joint Resolution No. 203** -- Memorials, Academic Achievement - Devon Gundry, Valedictorian, Hendersonville High School. by \*Graves.

**Senate Joint Resolution No. 204** -- Memorials, Recognition and Thanks - Sumner County 4H team. by \*Graves.

**Senate Joint Resolution No. 205** -- Memorials, Academic Achievement - Shannon Scott, Valedictorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 206** -- Memorials, Academic Achievement - Ashley Colvin, Valedictorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 207** -- Memorials, Academic Achievement - Rita Porter, Valedictorian, Springfield High School. by \*Graves.

**Senate Joint Resolution No. 208** -- Memorials, Academic Achievement - Fay Allen Dicens, Valedictorian, Portland High School. by \*Graves.

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**Senate Joint Resolution No. 209** -- Memorials, Academic Achievement - Sara Elizabeth Plott, Co-Salutatorian, White House High School. by \*Graves.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 53** -- Memorials, Government Officials - Urges president to take all necessary measures to respond to surge of steel imports resulting from international financial crises and to enforce all applicable trade agreements and laws of United States pertaining to steel imports. by \*Burchett, \*Crowe.

House Commerce Committee

**\*Senate Joint Resolution No. 97** -- Highway Signs - "Edward Burnett Bridge Memorial Bridge," S.R. 48, Dickson County. by \*Springer.

House Transportation Committee

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1949** -- Jonesborough - Subject to local approval, transfers authority over town recorder from board of mayor and aldermen to town administrator. Amends Chapter 135 of the Acts of 1903; as amended. by \*Patton. (SB1943 by \*Crowe)

**House Bill No. 1950** -- Gleason - Subject to local approval, revises charter relative to mayoral duties and filling vacancies. Amends Chapter 33 of the Private Acts of 1985. by \*Maddox.

**House Bill No. 1951** -- Carroll County - Authorizes West Carroll special school district, located in Carroll County, to sell bonds, by resolution of board of education of district, in aggregate amount of \$7.5 million for school buildings and facilities. Amends Chapter 109 of the Private Acts of 1981. by \*Phelan. (SB1945 by \*Carter)

**House Bill No. 1952** -- McKenzie - At request of board of special school district, renames "McKenzie High School District" to "McKenzie Special School District"; revises terms of board members. Amends Chapter 533 of the Private Acts of 1917. by \*Maddox. (SB1946 by \*Carter)

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 168** -- Children - Requires juvenile court clerks to forward information concerning sexual offenses to TBI for verification of employment applications of persons applying to work with children; requires TBI to grant access to its sexual offender computer files created and maintained by TBI for employment verification purposes. Amends TCA Title 37, Chapter 1, Part 1; Title 38, Chapter 6 and Section 71-3-529. by \*Clabough. (HB651 by \*Harwell, \*Bunch, \*Hagood)

**\*Senate Bill No. 1167** -- Motor Vehicles, Titling and Registration - Corrects internal TCA reference to clarify that revenues from personalization of collegiate plates are allocated to arts commission Amends TCA Title 55, Chapter 4. by \*Ford J, \*Dixon. (HB1801 by \*DeBerry L)

**\*Senate Bill No. 1572** -- Firearms and Ammunition - Makes files in possession of department of safety relating to handgun carry permits and bogus handgun carry permits confidential records. Amends TCA Section 10-7-504. by \*Cooper. (HB1531 by \*Kisber)

**\*Senate Bill No. 1590** -- Securities - Exempts certain security issuers from notice filing and fee requirements before sale of such security; requires issuers of certain covered securities to file report with securities and exchange commission. Amends TCA Title 48, Chapter 2, Part 1. by \*McNally. (HB1106 by \*Gunnels, \*Boyer)

**Senate Bill No. 1620** -- Housing - Redefines "housing facility" for special purpose corporations and associations to add single-family residential units located in Shelby County financed by for-profit, not-for-profit or governmental entity and bonds are not exempt under IRC. Amends TCA Section 48-101-301. by \*Dixon, \*Cohen, \*Person, \*Ford J. (\*HB1188 by \*Bowers)

**Senate Bill No. 1736** -- Sunset Laws - Commission on children and youth, June 30, 2006; abolishes interagency coordination council. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 3. by \*Springer, \*Crowe. (\*HB1680 by \*Kernell)

**Senate Bill No. 1855** -- Highway Signs - "Patrick H. McCutchen Memorial Bridge," spanning U.S. 79 on new segment of S.R. 374, Montgomery County. by \*Kurita, \*Womack, \*Henry, \*Kyle, \*Springer, \*Haynes, \*Graves, \*Harper, \*Rochelle, \*Dixon, \*Cohen. (\*HB1924 by \*Head, \*McMillan)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1946** -- Franklin -- Local Bill Held on House Desk

**House Bill No. 1947** -- Rossville -- Local Bill Held on House Desk

**House Bill No. 1948** -- Trezevant -- Local Bill Held on House Desk

## REPORTS FROM STANDING COMMITTEES

The committees that met on **March 23, 1999**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 24, 1999**: House Bill(s) No(s). 1501, 239, 240, 530, 1099, 35, 907, 316, 802, 1276, 227, 276 and House Joint Resolution No. 59.

The Committee also set the following bill(s) on the **Regular Calendar** for **March 25, 1999**: House Bill(s) No(s). 261, 506, 648, 649, 891 and 1217.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 24, 1999**: House Bill(s) No(s). 243, 442, 564, 1044, 1049, 1129, 1131, 1158, 1268, House Joint Resolution(s) No(s). 89 and 92.

### AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 470, 1123, 1102, 1310, 1311, and 1312, also House Bill(s) No(s). 789 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CHILDREN & FAMILY AFFAIRS

The Children and Family Affairs Committee recommended for passage: House Bill(s) No(s). 793, 1384, 1669, and 552, also House Bill(s) No(s). 1297, 1402, and 557 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### COMMERCE

The Commerce Committee recommended for passage: House Bill(s) No(s). 835, 1817, 1260, 1220, 810, and House Joint Resolution(s) No(s). 87; also House Bill(s) No(s). 783 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 1449 and 435, also House Bill(s) No(s). 586 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1116 with amendments. Pursuant to **Rule No. 72**, it was referred to the Finance, Ways and Means Committee.

### CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 1103, also House Bill(s) No(s). 735 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.



## EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 949, 883, and 1267, also House Bill(s) No(s). 1404, 297, 321, 645, 1417, and House Joint Resolution(s) No(s). 69 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

## FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 674, House Resolution(s) No(s). 27, and House Joint Resolution(s) No(s). 64 and 113 , also House Bill(s) No(s). 1446, 1870, 1193, and 677 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

## GOVERNMENT OPERATIONS

The Government Operations Committee recommended that House Bill(s) No(s). 1846 be transmitted to the Agriculture Committee and House Bill(s) No(s). 1120 be transmitted to the Health and Human Resources Committee; also House Bill(s) No(s). 592 and 565 with amendments be transmitted to the Health and Human Resources Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 948 with amendments. Pursuant to **Rule No. 72**, it was referred to the Finance, Ways and Means Committee.

## HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 580 with amendments. Under the rules, it was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 820 with amendments. Pursuant to **Rule No. 72**, it was referred to the Finance, Ways and Means Committee.

## STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 1836, 1478, 846, 412, 1600, 1496, 1497, 869, 814, 1529, 1406, 1431, and 1586, also House Bill(s) No(s). 978, 1412, and 772 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1523 and 740. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## REPORTS FROM STANDING COMMITTEES

The committees that met on **March 24, 1999**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 25, 1999**: House Bill(s) No(s). 1426, 685, 781, 1188, 214, 431, 693, 481, 1309, 619, 269, 588, 1136, 1138, and 1431.

The Committee also set the following bill(s) on the **Regular Calendar** for April 26, 1999: House Bill(s) No(s). 288.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 25, 1999**: House Joint Resolution(s) No(s). 73, House Bill(s) No(s). 1495, 527, 817, 625, 1351, and House Resolution(s) No(s). 27.

### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 615, 1850, 268, 947, 1320, 1189, 941, 1868, 1108, 1519, 1552, also House Bill(s) No(s). 429, 922, 601, 1006, and 260 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 330, 1787, 1298, 1549, and 921; also House Bill(s) No(s). 1550 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 1664, 1752, 1674, House Resolution(s) No(s). 28, House Joint Resolution(s) No(s). 136, and Senate Joint Resolution(s) No(s). 40, also House Bill(s) No(s). 796, 775, 141, and 860 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

### CAPTION BILLS REFERRED

**March 24, 1999**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 555, 909, 1118 and 1167 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 555** -- Correction, Dept. of -- House State and Local Government Committee

**House Bill No. 909** -- Education -- House Education Committee

**House Bill No. 1118** -- Hazardous Materials -- House Conservation and Environment Committee

**House Bill No. 1167** -- Insurance, Health, Accident -- House Judiciary Committee

**CONSENT CALENDAR**

**House Bill No. 1158** -- Utilities, Utility Districts - Increases membership of board of First Utility District of Hardin County from three to five; staggers terms of such board members. Amends TCA Section 7-82-307. by \*Rinks. (\*SB1445 by \*Wilder)

**\*House Bill No. 442** -- Libraries - Creates Tennessee electronic library to be administered by state library and archives. Amends TCA Title 10, Chapter 1. by \*Kisber, \*McMillan, \*Sands, \*Hargett, \*Pleasant. (SB418 by \*Crutchfield)

**\*House Bill No. 243** -- Zoning - Increases from two to three number of houseparents or guardians authorized to live in group homes for the mentally retarded, physically handicapped, or mentally handicapped which are classified by law as single family residences Amends TCA Section 13-24-102. by \*Stulce. (SB293 by \*Crutchfield)

**House Bill No. 1268** -- Salaries and Benefits - Upon adoption of resolution by 2/3 vote, requires county legislative body of Hamilton County to fix its salary by 6/30/99 to become effective 7/1/99; on 7/1/2000 and each July 1 thereafter compensation to be adjusted to reflect same percentage increase county executive to receive. Amends TCA Section 5-5-107. by \*Stulce, \*Turner (Hamilton), \*Sharp, \*Wood, \*Brown, \*McAfee. (\*SB1142 by \*Crutchfield, \*Fowler)

**House Bill No. 1044** -- Taxes, Personal Property - Provides for prorated property assessment if disaster changes value or use of property. Amends TCA Title 67, Chapter 5, Part 6. by \*White. (\*SB541 by \*Springer)

**\*House Bill No. 564** -- Tennessee Housing Development Agency - Removes requirement that state and local appropriation portions of homebuyer's revolving loan fund pool be interest free. Amends TCA Section 13-23-303(a). by \*Bowers. (SB742 by \*Dixon)

On motion, House Bill No. 564 was made to conform with **Senate Bill No. 742**; the Senate Bill was substituted for the House Bill.

**House Bill No. 1049** -- Advertising - Specifies that vegetation not eligible for removal under vegetation control permit if, on day outdoor advertising is erected, such vegetation blocks vehicle occupants' view of outdoor advertising from a distance 500 yards or less on main traveled ways. Amends TCA Section 54-21-119. by \*Buck, \*White. (\*SB388 by \*Cooper)

On motion, House Bill No. 1049 was made to conform with **Senate Bill No. 388**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 1129** -- Common Carriers - Defines certain motor carriers; deletes requirement for certain temporary certificates. Amends TCA Title 65, Chapter 15. by \*Westmoreland, \*Ford S. (SB1613 by \*Haun, \*McNally)

**WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY**

**\*House Bill No. 1131** -- Motor Vehicles, Titling and Registration - Revises registration requirements and fees for certain motor vehicles; imposes penalty for commercial use of certain private motor vehicles; requires certain persons to notify department of safety of name or address change within ten days. Amends TCA Title 55, Chapters 3 and 4. by \*Westmoreland, \*Ford S. (SB1615 by \*Haun, \*McNally)

**\*House Joint Resolution No. 89** -- Highway Signs - "Ross K. Meredith Memorial Bridge," U.S. 64, Wayne County. by \*Tidwell.

**\*House Joint Resolution No. 92** -- Highway Signs - "Sergeant Donnie Edward Horton Memorial Highway," S.R. 203, Wayne County. by \*Tidwell.

**House Bill No. 1934** -- Lebanon - Subject to local approval, revises charter to change certain appointed positions to regular city employees after January 2, 2000; removes appeal process for certain discharged department employees. Amends Chapter 644 of the Private Acts of 1911; as amended. by \*Bone. (SB1936 by \*Rochelle)

**House Resolution No. 31** -- Memorials, Heroism - William Jed Gunter, Purple Heart Medal. by \*Phillips.

**House Joint Resolution No. 153** -- Memorials, Academic Achievement - Sarah Jobe, perfect SAT score. by \*Hargett.

**House Joint Resolution No. 154** -- Memorials, Academic Achievement - Johnathan Wang, Perfect SAT Score. by \*Hargett.

**House Joint Resolution No. 155** -- Memorials, Professional Achievement - Micki Duncan, Claxton Optimist Club Educator of the Year. by \*Caldwell.

**House Joint Resolution No. 156** -- Memorials, Personal Achievement - Jim LaFallotte, Ruritan National Vice President. by \*Givens.

**House Joint Resolution No. 157** -- Memorials, Retirement - Idus D. (Babe) Conner. by \*Gunnels, \*Kerr.

**House Joint Resolution No. 158** -- Memorials, Personal Achievement - Andre Finch. by \*Brown, \*Stulce, \*Wood, \*Sharp, \*Armstrong, \*DeBerry L, \*Chumney, \*Brooks.

**Senate Joint Resolution No. 167** -- Memorials, Sports - 1998-1999 Mary Blount Middle school boys' basketball team, TSSAA East Tennessee Sectional Tournament champions. by \*Clabough.

**Senate Joint Resolution No. 168** -- Memorials, Public Service - Marlon Hawks. by \*Kyle, \*Carter, \*Cohen, \*Herron.

**Senate Joint Resolution No. 169** -- Memorials, Academic Achievement - Elisabeth Kidd, Valedictorian, Westmoreland High School. by \*Graves.

**Senate Joint Resolution No. 170** -- Memorials, Death - Dr. Edward Atkinson. by \*Kurita.

**WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY**

**Senate Joint Resolution No. 171** -- Memorials, Recognition and Thanks - Medical Auxiliary of Washington-Unicoi-Johnson County Medical Association, 50th Anniversary. by \*Crowe, \*Haun.

**Senate Joint Resolution No. 172** -- Memorials, Recognition and Thanks - University School, Johnson City - "Good Sports Always Recycle" Environmental Award. by \*Crowe.

**Senate Joint Resolution No. 173** -- Memorials, Retirement - Dr. Albert Mitchum. by \*Kurita.

**Senate Joint Resolution No. 174** -- Memorials, Death - Eloise Broemel. by \*Womack, \*Burks, \*Henry, \*Kyle, \*Cooper, \*Herron.

**Senate Joint Resolution No. 175** -- Memorials, Recognition and Thanks - Dr. Thurman L. Pedigo. by \*Cooper, \*Kurita.

**Senate Joint Resolution No. 176** -- Memorials, Recognition and Thanks - Sanja Simic from Bosnia, Honorary citizen. by \*Ramsey.

**Senate Joint Resolution No. 194** -- Memorials, Sports - Trousdale County High School football team, TSSAA 1998 Class A state champion. by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 195** -- Memorials, Sports - Ezell-Harding Christian School "Lady Eagles" girls' fast pitch softball team, TSSAA Class A state champions. by \*Rochelle, \*Henry.

Rep. Givens moved that all members voting aye on House Joint Resolution No. 156 be added as sponsors, which motion prevailed.

Rep. Bone moved that all members voting aye on Senate Joint Resolution No. 194 be added as sponsors, which motion prevailed.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 1158:** Rep. Bunch

**House Bill No. 1129:** Rep. Chumney

**House Bill No. 1131:** Rep. Hargrove

Under the rules, House Bill(s) No(s), 1158, 1129 and 1131 was/were placed at the foot of the calendar for March 25, 1999.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Pruitt -- 1.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**\*House Bill No. 832** -- Loan Companies and Short Term Lenders - Expands types of products which may be offered and charges which may be assessed by industrial loan and thrift companies. Amends TCA Section 45-5-305; Section 45-5-403 and Section 45-5-301. by \*Curtiss. (SB1394 by \*Rochelle)

Rep. Curtiss moved that House Bill No. 832 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

#### Amendment No. 1

AMEND House Bill No. 832 By deleting from Section 3 the words and figures "fifteen dollars (\$15.00)" and by substituting instead the words and figures "ten dollars (10.00)".

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 832 by deleting the amendatory language of Section 1 and substituting instead the following:

( ) Subject to the provisions of Tennessee Code Annotated, Section 45-5-305(b), accept or sell, but not require, at the expense of the borrower or borrowers, one or more credit-related insurance products.

As used in this item and Section 45-5-305(b), the term "credit-related insurance products" is limited to individual term life or individual accidental death and dismemberment insurance sold by a registrant where (1) the beneficiary named by the debtor is a person other than the creditor, (2) the insurance is purchased by the debtor and financed as part of the credit transaction, and (3) the premium for such insurance is included in the principal of the loan.

AND FURTHER AMEND Section 2 by inserting the word "term" between the words "maximum" and "life" in subsection (b)(1).

AND FURTHER AMEND Section 2 by deleting the phrase "or in any regulations adopted pursuant thereto" in subsection (b)(3) and by substituting instead the language "provided, however, that this subsection shall not affect any other provision of Title 56, or any regulation adopted pursuant thereto."

On motion, Commerce Committee Amendment No. 2 was adopted.

Rep. Curtiss moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 832 by adding the following new item to subdivision 2 of subsection (b) of the amendatory language of Section 2:

( ) And a statement with three (3) representative examples of the purchase of insurance under this section indicating the total amount of interest payable for each example of a loan and the amount of interest of such loan attributable to the insurance purchased under this section.

On motion, Amendment No. 3 was adopted.

Rep. Bowers moved adoption of Amendment No. 4 as follows:

**Amendment No. 4**

AMEND House Bill No. 832 by deleting subsection (b)(2)(B) of the amendatory language of Section 2 of the printed bill in its entirety and by substituting instead the following:

(b)(2)(B) the borrower or borrowers fully understand that buying the insurance is not a condition of the loan. Such disclosure shall be made in bold face print appearing in the disclosure statement. In addition, notice of such disclosure shall be posted at any physical location where customers are served;

On motion, Amendment No. 4 was adopted.

Rep. Curtiss moved that **House Bill No. 832**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes .....	9
Present and not voting .....	5

Representatives voting aye were: Arriola, Baird, Beavers, Bittle, Bone, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 82.

Representatives voting no were: Bowers, Chumney, Cooper, Kernell, Miller, Odom, Pleasant, Pruitt, West -- 9.

Representatives present and not voting were: Armstrong, Black, Briley, McMillan, Towns -- 5.

A motion to reconsider was tabled.

**House Bill No. 1031** -- Fire Prevention and Investigation - Expands inherently dangerous conditions in buildings to include "any dangerous or defective condition," which if found by official of fire prevention division requires immediate correction so as not to place responsibility for condition on owner, occupant, architect, contractor, builder, mechanic, electrician or other person. Amends TCA Section 68-102-117. by \*Jones U (Shelby), \*Miller L, \*Pleasant, \*DeBerry J. (\*SB1035 by \*Dixon)

Rep. U. Jones moved that House Bill No. 1031 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1031 by deleting Section 1 in its entirety and by substituting instead the following:



SECTION 1. Tennessee Code Annotated, Section 68-102-117(a)(1), is amended by inserting the language "or constitutes any other dangerous or defective conditions," between the language "especially liable to fire," and the words "and which is situated".

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. U. Jones moved that **House Bill No. 1031**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

**House Bill No. 1114** -- Unemployment Compensation - Authorizes party seeking appeal from decision of board of review for employment security claims to seek judicial review, rather than writ of certiorari; establishes notice and priority for lien filed against defaulting employer's assets; imposes fine for failure of certain employers to report employee wages in magnetic media format. Amends TCA Sections 50-7-304(1), 50-7-50-7-404(b)(2) and 50-7-404(c). by "Hargett, "McDaniel. ("SB1598 by "Miller J)

Rep. Hargett moved that **House Bill No. 1114** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 1112** -- Unemployment Compensation - Redefines "employment" for purposes of unemployment compensation to exclude, after June 30, 1999, services performed by inmates committed to custodial or penal institutions, and services of election officials and workers paid less than \$1,000 a year for services as election official or worker. Amends TCA Section 50-7-207(c). by \*Pleasant, \*Ford S. (\*SB1596 by \*Burchett, \*Elsea)

On motion, House Bill No. 1112 was made to conform with **Senate Bill No. 1596**; the Senate Bill was substituted for the House Bill.

Rep. Pleasant moved that **Senate Bill No. 1596** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

#### CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 197** -- Criminal Offenses - Creates Class D felony offense for identity theft. Amends TCA Title 39, Chapter 14, Part 1. by \*McDonald, \*Williams (Williamson), \*Fowlkes, \*Bone, \*West, \*Stulce, \*Head, \*Hood, \*Eckles, \*Sharp, \*Wood. (SB205 by \*Rochelle, \*Atchley, \*Blackburn, \*Burchett, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack)

On motion, House Bill No. 197 was made to conform with **Senate Bill No. 205**; the Senate Bill was substituted for the House Bill.

Rep. McDonald moved that Senate Bill No. 205 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. McDonald moved that **Senate Bill No. 205** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....98  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 454** -- Consumer Protection - Makes it deceptive act under Consumer Protection Act for supplier of goods or services to misrepresent geographic location of supplier by listing local telephone number in local telephone directory under certain conditions. Amends TCA Title 47, Chapter 18, Part 1. by \*McDonald, \*Black, \*Bone, \*Davidson, \*Fowlkes, \*Arriola, \*West, \*Hargett, \*Pleasant. (SB444 by \*Graves)

Rep. McDonald moved that **House Bill No. 454** be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 454 by adding in the amendatory language of Section 2 of the printed bill the words "the classified advertising section of" between the word "in" and the words "a local telephone directory".

AND FURTHER AMEND Section 2 of the printed bill by adding the following language to the end of that section:

The provisions of this section shall not apply to a telecommunications service provider or to the publisher or distributor of a local telephone directory unless such act is on behalf of such telecommunications service provider or on behalf of the publisher or distributor of such local telephone directory.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. West moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 454 By inserting the word "or" in the amendatory language of Section 2 of the printed bill after the language "(A) the name misrepresents the supplier's geographic location;"

AND FURTHER AMEND by inserting the word "and" in the amendatory language of Section 2 of the printed bill after the language "(B) the listing fails to identify the locality and state of the supplier's business;"

On motion, Amendment No. 2 was adopted.

Rep. Pleasant moved the previous question, which motion prevailed.

Rep. McDonald moved that **House Bill No. 454**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY**

Representatives present and not voting were: Caldwell -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 458** -- Teachers, Principals and School Personnel - Provides for immediate dismissal of teachers convicted of felonies. Amends TCA Sections 49-5-511. by \*McDonald, \*Bone, \*Fowlkes. (SB447 by \*Graves, \*Burks)

Rep. McDonald moved that House Bill No. 458 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 458 by deleting from the amendatory language of subsection (c)(1) of Section 1 of the printed bill the words "felony shall" and substituting instead the language "felony listed in §40-35-501(i)(2) shall".

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 458 by deleting in Section 1 all of the language and punctuation following the words "court reviews" and by substituting instead the words and punctuation "provided for in Section 49-5-512 and 49-5-513, the director or superintendent of schools shall notify in writing the commissioner of education who shall begin licensure revocation proceedings under applicable rules of the state board of education."

On motion, Education Committee Amendment No. 2 was adopted.

Rep. Miller moved the previous question, which motion prevailed.

Rep. McDonald moved that **House Bill No. 458**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Cooper -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 673** -- Insurance, Health, Accident - Requires certain entities to designate physician licensed in Tennessee as medical director, responsible for treatment policies and utilization management and to ensure certain service delivery decisions are made by doctor or licensed person and to limit retrospective denial of coverage; noncompliance is basis for certificate of authority action. Amends TCA Title 56. by \*Caldwell, \*Hargrove, \*Naifeh, \*DeBerry L, \*Rinks, \*Williams (Williamson), \*Arriola, \*McDonald, \*Kisber, \*Armstrong, \*Turner (Shelby), \*Lewis, \*Stulce, \*Sands, \*Davidson, \*Pinion, \*Jones, S., \*Ridgeway, \*Bone, \*Robinson, \*Ferguson, \*Brooks, \*Tindell, \*Eckles, \*Newton, \*Scroggs, \*West, \*Hood, \*Fraley, \*Miller L, \*Maddox, \*Pruitt, \*Winningham, \*Hargett, \*Pleasant, \*Cooper B. (SB1117 by \*Cooper)

Rep. Hargrove moved that House Bill No. 673 be reset for the Regular Calendar on April 29, 1999, which motion prevailed.

**House Bill No. 1106** -- Securities - Exempts certain security issuers from notice filing and fee requirements before sale of such security; requires issuers of certain covered securities to file report with securities and exchange commission. Amends TCA Title 48, Chapter 2, Part 1. by \*Gunnels, \*Boyer. (\*SB1590 by \*McNally)

On motion, House Bill No. 1106 was made to conform with **Senate Bill No. 1590**; the Senate Bill was substituted for the House Bill.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Gunnels moved that **Senate Bill No. 1590** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 26** -- County Officers - Enables county clerk to accept payment of fees, fines, court costs and other charges by credit card. Amends TCA Section 8-21-107. by \*Chumney. (SB249 by \*Kyle)

Rep. Chumney moved that **House Bill No. 26** be passed on third and final consideration.

Rep. U. Jones moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 26 By adding the following as a new section to precede the effective date section:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 8-21-107, is amended by adding a new subsection thereto, as follows:

(f) The county clerk collecting a fee or charge under this chapter shall state on any notice to the taxpayer either the percentage of the processing fee or the fee itself.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Bowers moved the previous question, which motion prevailed.

Rep. Chumney moved that **House Bill No. 26**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0
Present and not voting .....	2

## WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Fraley, Maddox -- 2.

A motion to reconsider was tabled.

### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

### RULES SUSPENDED

Rep. Davis (Cocke) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 163 out of order, which motion prevailed.

**House Joint Resolution No. 163** -- Memorials, Sports - 1998-1999 Cosby High School boys' basketball team. by \*Davis (Cocke).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davis (Cocke), the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Davis (Cocke) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 164 out of order, which motion prevailed.

**House Joint Resolution No. 164** -- Memorials, Death - Mack E. Holdway. by \*Davis (Cocke).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Davis (Cocke), the resolution was adopted.

A motion to reconsider was tabled.



REGULAR CALENDAR, CONTINUED

**\*House Bill No. 201** -- Municipal Government - Requires municipalities to redistrict at least once every ten years. Amends TCA Section 6-54-102. by \*Williams (Williamson). (SB853 by \*Kurita)

Further consideration of House Bill No. 201 previously considered on March 22, 1999 and reset for today's Calendar.

Rep. Williams moved that House Bill No. 201 be reset for the Regular Calendar on April 26, 1999, which motion prevailed.

**House Bill No. 1720** -- Insurance Companies, Agents, Brokers, Policies - Enacts "Tennessee Creditor-Placed Insurance Act of 1999." by \*Rhinehart, \*Buck. (\*SB1712 by \*Womack)

Further consideration of House Bill No. 1720 previously considered on March 22, 1999 at which time the House adopted Amendment(s) No(s). 1 and 2 and reset the bill for today's Calendar.

Rep. Rhinehart moved that **House Bill No. 1720**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	0
Present and not voting .....	5

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Boyer, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Bowers, Briley, Brooks, Odom, West -- 5.

A motion to reconsider was tabled.

**\*House Bill No. 1501** -- Salaries and Benefits - Clarifies procedure to be used by state, local government and local education insurance committees in entering into contracts with service providers. Amends TCA Section 8-27-102; Section 8-27-207 and Section 8-27-301. by \*Rhinehart, \*Kent. (SB1871 by \*Atchley)

Rep. Rhinehart moved that **House Bill No. 1501** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....95  
 Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**\*House Bill No. 239** -- Pensions and Retirement Benefits - Establishes maximum benefits for certain members of TCRS. Amends TCA Section 8-36-208. by \*Rhinehart. (SB265 by \*Rochelle, \*Womack, \*Harper, \*Herron)

On motion, House Bill No. 239 was made to conform with **Senate Bill No. 265**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that **Senate Bill No. 265** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....96  
 Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 240** -- Pensions and Retirement Benefits - Revises various provisions regarding retirement benefits for public employees. Amends TCA Sections 8-34-302(a)(8), 8-34-604, 8-35-219, 8-36-117, 8-36-121, 8-36-501(c), 8-36-502(c), 8-36-505, 8-36-805(2), 8-36-820(b), and 8-37-212; and Title 8, Chapter 37, Part 1. by \*Rhinehart. (SB307 by \*Atchley)

Rep. Rhinehart moved that House Bill No. 240 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 240 by deleting the directory and amendatory language of SECTION 12 of the printed bill and by substituting instead the following:

SECTION 12. Tennessee Code Annotated, Section 8-37-114(a), is amended by deleting the same in its entirety and by substituting instead the following:

(a) Notwithstanding any other provision of the law to the contrary, the board of trustees is expressly authorized to contract for investment management services for the retirement system's foreign portfolios and for the retirement system's real estate portfolios. The board shall provide for the powers, duties, functions and compensation of any investment managers so engaged. Any contract for such investment management services shall be procured in the manner prescribed by the board. The board may authorize the system's investment consultant to initially evaluate and make recommendations regarding proposals submitted by investment managers.

Personal services, professional services, consultant services, management of the foreign portfolios, and management of the real estate portfolios may be procured in such manner as prescribed by the board without regard to the requirements of § 12-4-109 if the board determines that such services are necessary or desirable for the efficient administration of the retirement system's investment program and provided such procurement method is approved by the council on pensions and insurance.

On motion, Council on Pensions and Insurance Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 240**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

**WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**\*House Bill No. 530** -- Consumer Protection - Adds provisions to limit unsolicited advertising by electronic mail (anti-spamming). Amends TCA Title 47, Chapter 18. by \*Hargrove, \*Bowers, \*Hargett, \*Pleasant, \*Langster. (SB690 by \*Kyle)

Rep. Hargrove requested that House Bill No. 530 be moved to the heel of the Calendar.

**House Bill No. 1099** -- Utilities, Utility Districts - Provides certain procedures to protect underground utilities when excavations or demolitions are being performed. Amends TCA Title 65, Chapter 31. by \*Head. (\*SB1450 by \*Atchley)

Rep. Head requested that House Bill No. 1099 be moved down 2 places on the Calendar.

**\*House Bill No. 35** -- Litter Control - Standardizes exemption for hauling loose materials in highway and criminal laws Amends TCA Section 39-14-503. by \*Head. (SB45 by \*Cooper)

Rep. Head moved that House Bill No. 35 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 35 By adding the following language at the end of the amendatory language of Section 1:

This provisions of this section shall also not apply to motor vehicles which transport farm produce going to market or from field to field, or field to storage.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Head moved that **House Bill No. 35**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....94  
 Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**\*House Bill No. 907** -- Motor Vehicles - Revises brake requirements for vehicles weighing less than 7,500 pounds, and equipped with hydraulic breakaway mechanism. Amends TCA Section 55-9-204, by \*Head, \*Walker (Rhea). (SB1113 by \*Cooper, \*Rochelle)

On motion, House Bill No. 907 was made to conform with **Senate Bill No. 1113**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1113 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Head moved that **Senate Bill No. 1113** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
 Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 1099** -- Utilities, Utility Districts - Provides certain procedures to protect underground utilities when excavations or demolitions are being performed. Amends TCA Title 65, Chapter 31. by \*Head. (\*SB1450 by \*Atchley)

Further consideration of House Bill No. 1099 previously considered on today's Calendar.

On motion, House Bill No. 1099 was made to conform with **Senate Bill No.1450**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1450 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Pleasant moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1450 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. In any county having a population in excess of eight hundred thousand (800,000), according to the 1990 federal census or any subsequent federal census, the provisions of this act shall only apply to the area within the jurisdictional boundaries of the largest incorporated municipality of such county and shall specifically not apply to any other incorporated municipality or unincorporated area in such county.

Rep. Head moved that Amendment No. 2 be tabled, which motion prevailed.

Rep. Head moved that **Senate Bill No. 1450** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes .....	5
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Cooper, Hargett, Pleasant, Scroggs, Todd -- 5.

Representatives present and not voting were: Chumney -- 1.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Tidwell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 59 out of order, which motion prevailed.

**\*House Joint Resolution No. 59** -- Highway Signs - "Representative William H. Collier Parkway," U.S. 70, New Johnsonville. by \*Tidwell, \*Fowlkes, \*Williams (Williamson), \*Caldwell.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Tidwell, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 316** -- Taxes - Establishes review and sunset program for certain tax exemptions that result in revenue losses of \$1 million or more. Amends TCA Title 67. by \*Kisber, \*Head, \*Rinks, \*Phelan, \*McKee. (SB438 by \*Rochelle)

Rep. Kisber moved that House Bill No. 316 be passed on third and final consideration.

Rep. Odom moved the previous question, which motion prevailed.

Rep. Kisber moved that **House Bill No. 316** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....97  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 802** -- Courts - Limits security bonds filed by attorneys in civil actions to costs required by law or due clerk of court, excluding discretionary costs permitted under present law; clerk may take additional bond for discretionary costs. Amends TCA Title 20, Chapter 12 and Section 23-2-104. by \*Stulce. (SB1145 by \*Crutchfield)

Rep. Stulce moved that House Bill No. 802 be passed on third and final consideration.

Rep. Stulce moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 802 by deleting the last sentence of Section 1 of the printed bill and by substituting instead the following:

In such instances, the clerk may require an additional surety other than the attorney as may be necessary to secure payment for discretionary costs.

AND FURTHER AMEND by deleting Section 4 of the printed bill in its entirety and by renumbering the remaining sections accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Stulce moved that **House Bill No. 802**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1



WEDNESDAY, MARCH 24, 1999 -- TWENTIETH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Caldwell -- 1.

A motion to reconsider was tabled.

**House Bill No. 1276** -- Motor Vehicles - Deletes requirement that new motor vehicles be equipped with safety glass approved by commissioner of safety; deletes all other related provisions concerning safety glass. Amends TCA Sections 55-9-208 through 55-9-211. by \*Sands, \*White. (\*SB217 by \*Hau)

On motion, House Bill No. 1276 was made to conform with **Senate Bill No. 217**; the Senate Bill was substituted for the House Bill.

Rep. Sands moved that **Senate Bill No. 217** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	1
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Briley -- 1.

Representatives present and not voting were: Odom -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 227** -- Insurance, Health, Accident - Requires annual chlamydia screening tests for certain females to be made available on optional basis as part of or as endorsement to accident and sickness insurance policies that provide major medical insurance coverage. Amends TCA Title 56, Chapter 7, Part 26. by \*Bowers. (SB309 by \*Ford J, \*Dixon, \*Williams)

On motion, House Bill No. 227 was made to conform with **Senate Bill No.309**; the Senate Bill was substituted for the House Bill.

Rep. Bowers moved that Senate Bill No. 309 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Bowers moved that **Senate Bill No. 309** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	0
Present and not voting .....	7

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Butry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Beavers, Briley, Eckles, Kernell, Pleasant, Rhinehart, Todd -- 7.

A motion to reconsider was tabled.

**House Bill No. 276** -- Animals - Authorizes any home rule municipality to adopt local ordinances to regulate disposition of dangerous dogs and/or dogs causing death or serious injury to humans or other animals Amends TCA Title 44, Chapter 17. by \*Bowers. (\*SB187 by \*Dixon)

On motion, House Bill No. 276 was made to conform with **Senate Bill No.187**; the Senate Bill was substituted for the House Bill.

Rep. Bowers moved that Senate Bill No. 187 be passed on third and final consideration.

On motion, Rep. Givens withdrew Agriculture Committee Amendment No. 1.

Rep. Bowers moved that **Senate Bill No. 187** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	58
Noes .....	13
Present and not voting .....	23

Representatives voting aye were: Armstrong, Bittle, Black, Bone, Bowers, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Curtiss, Davidson, Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Gunnels, Hagood, Hargett, Hargrove, Hassell, Head, Hood, Jones S., Kemell, Kerr, Kisber, Langster, McDaniel, McKee, McMillan, Miller, Montgomery, Mumpower, Patton, Pinion, Pruitt, Ridgeway, Roach, Robinson, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Wood -- 58.

Representatives voting no were: Baird, Briley, Cole (Carter), Cooper, Goins, Maddox, McCord, Phelan, Pleasant, West, Westmoreland, Windle, Winningham -- 13.

Representatives present and not voting were: Arriola, Beavers, Boyer, Chumney, Cole (Dyer), Eckles, Harwell, Jackson, Kent, Lewis, McDonald, Newton, Odom, Phillips, Rhinehart, Rinks, Sands, Sargent, Todd, Walley, White, Williams, Mr. Speaker Naifeh -- 23.

A motion to reconsider was tabled.

**\*House Bill No. 530** -- Consumer Protection - Adds provisions to limit unsolicited advertising by electronic mail (anti-spamming). Amends TCA Title 47, Chapter 18. by \*Hargrove, \*Bowers, \*Hargett, \*Pleasant, \*Langster. (SB690 by \*Kyle)

Further consideration of House Bill No. 530 previously considered on today's Calendar.

Rep. Hargrove moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 530 by adding a new subsection, as follows, to the end of the amendatory language in Section 1 of the printed bill:

(j) The provisions of this section shall not be construed to restrict or apply to constitutionally protected communications to and from citizens and their elected representatives.

On motion, Amendment No. 1 was adopted.

Rep. Newton moved the previous question, which motion prevailed.

Rep. Hargrove moved that **House Bill No. 530**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kemell, Kerr, Kisber, Langster, Lewis, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Hood moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 168 out of order, which motion prevailed.

**House Joint Resolution No. 168** -- Memorials, Professional Achievement - Carl P. Mayfield returns to DICK Broadcasting. by \*Hood, \*Eckles.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hood, the resolution was adopted.

A motion to reconsider was tabled.

### RULES SUSPENDED

Rep. Mumpower moved that the rules be suspended for the purpose of introducing House Resolution No. 38 out of order, which motion prevailed.

**House Resolution No. 38** -- Memorials, Personal Occasion - Pearl Hess, 103rd Birthday. by \*Mumpower, \*Godsey.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Mumpower, the resolution was adopted.

A motion to reconsider was tabled.

### BILLS WITHDRAWN

On motion of Rep. McMillan, **House Bill No. 1142** was recalled from the State and Local Government Committee and withdrawn from the House.

### ANNOUNCEMENTS

Rep. Hargrove announced that the House would convene on Thursday, March 25, 1999 at 9:30 a.m. instead of 9 a.m..

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 35:** Rep(s). Langster as prime sponsor(s).

**House Joint Resolution No. 2:** Rep(s). Williams as prime sponsor(s).

**House Joint Resolution No. 64:** Rep(s). Langster as prime sponsor(s).

**House Bill No. 7:** Rep(s). Williams as prime sponsor(s).

**House Bill No. 58:** Rep(s). Ford as prime sponsor(s).

**House Bill No. 470:** Rep(s). Walker as prime sponsor(s).

**House Bill No. 674:** Rep(s). Todd as prime sponsor(s).

**House Bill No. 677:** Rep(s). Ford as prime sponsor(s).

**House Bill No. 915:** Rep(s). Naifeh, Boyer, Stulce, Givens, Tidwell, Wood, McDaniel, Rhinehart, Whitson and Sharp as prime sponsor(s).

**House Bill No. 1119:** Rep(s). Walker as prime sponsor(s).

**House Bill No. 1323:** Rep(s). Lewis as prime sponsor(s).

**House Bill No. 1525:** Rep(s). Davidson, Curtiss, Arriola, Ferguson and Caldwell as prime sponsor(s).

**House Bill No. 1669:** Rep(s). Walker as prime sponsor(s).

### REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since request was made after passage/adoption of said bill/resolution:

**House Bill No. 442:** Rep(s). Maddox, Fitzhugh and White.

**House Resolution No. 19:** Rep(s). West

**SPONSORS REMOVED**

On motion, Rep(s). Sharp was/were removed as sponsor(s) of **House Bill No. 1267**.

On motion, Rep(s). Wood was/were removed as sponsor(s) of **House Bill No. 1267**.

**ENGROSSED BILLS**

**March 24, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 156.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 24, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 163 and 164.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**March 24, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 458 and 1114.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 24, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 12; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 24, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1454; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 24, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 156, 163 and 164; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**March 24, 1999**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 411, 458 and 1114; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**March 24, 1999**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 168.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 4, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 168; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**March 24, 1999**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 26, 35, 240, 243, 316, 442, 459, 530, 802, 832, 1031, 1044, 1268, 1501, 1934, also, House Joint Resolution(s) No(s) 59, 89, 92, 153, 154, 155, 157 and 158.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**

**March 24, 1999**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 12, 156, 163, 164, 168; also, House Resolution(s) No(s). 31 and 38.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**March 24, 1999**

The Speaker signed the following: House Joint Resolution(s) No(s). 12, 156, 163, 164, 168; also, House Resolution(s) No(s). 31 and 38.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**  
**March 24, 1999**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1013, 1028, 1247, 1383 and 1825; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 1013** -- Motor Vehicles - Authorizes counties and municipalities to tow accidentally wrecked or disabled motor vehicles pursuant to state's safety regulatory authority. - Amends TCA Title 55, Chapter 10, Part 1. by \*Ford J. (HB1698 by \*Jones U (Shelby))

**\*Senate Bill No. 1028** -- Fraternal Benefit Societies - Permits fraternal benefit societies to participate in reinsurance market - Amends TCA Section 56-25-1304. by \*Crutchfield. (HB1817 by \*Tidwell, \*Phelan, \*Ferguson, \*McDaniel)

**\*Senate Bill No. 1247** -- 'Victims' Rights - Provides that defendant may not claim prejudice or assign error based on failure of court or other state official to give victim rights; provides that failure to give victim rights does not create cause of civil action but gives victim standing to enforce rights through injunctive action or writs of mandamus; provides prosecutor may assert a victim's rights on victim's behalf. - Amends TCA Title 40, Chapter 38, Part 1. by \*Herron, \*Burks. (HB1334 by \*Buck, \*Hargrove)

**\*Senate Bill No. 1383** -- Taxes, Real Property - Provides for confidentiality of certain property tax information with disclosure to specified persons or officials only and to the extent specified. - Amends TCA Title 67, Chapter 5, Part 4. by \*Rochelle. (HB1309 by \*Cole (Dyer))

**Senate Bill No. 1825** -- Auctions and Auctioneers - Makes changes to requirements for auctioneer licensing and continuing education; sets forth provisions relative to auction gallery licenses. - Amends TCA Title 62, Chapter 19, Part 1. by \*Ramsey. (\*HB336 by \*Sands)

**MESSAGE FROM THE SENATE**  
**March 24, 1999**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 12, 156, 163, 164 and 168; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.



**CONSENT CALENDAR**

**March 24, 1999**

The following local bills have been placed on the Consent Calendar for **March 25, 1999**:  
House Bill(s) No(s) 1946, 1947 and 1948.

**ROLL CALL**

The roll call was taken with the following results:

Present .....94

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

**RECESS MOTION**

On motion of Rep. Hargrove, the House stood in recess until 9:30 a.m., Thursday, March 25, 1999.